

# Milwaukee County Case Number 2018CV000832 THOMAS FOTUSKY vs. EBIX, INC. et al

## Case summary

<b>Filing date</b> 01-30-2018	<b>Case type</b> Civil	<b>Case status</b> Open - Electronic filing
<b>Class code description</b> Money Judgment	<b>Responsible official</b> Rothstein-25, Stephanie	<b>Branch ID</b> 25

## Party summary

<b>Party type</b>	<b>Party name</b>	<b>Party status</b>
Plaintiff	FOTUSKY, THOMAS	
Defendant	EBIX, INC.	
Defendant	PROHEALTH CARE, INC.	

## Parties

### Plaintiff: FOTUSKY, THOMAS

<b>Date of birth</b>	<b>Sex</b>	<b>Race</b>
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**Address (last updated 01-30-2018)**  
716 Saint Johns Drive, Delafield, WI 53018 US

### Attorneys

<b>Attorney name</b>	<b>Guardian ad litem</b>	<b>Entered</b>
Welcenbach, Robert J	No	01-30-2018
Borison, Scott C	No	03-02-2018
Jones, John Craig	No	03-07-2018

### Defendant: EBIX, INC.

<b>Date of birth</b>	<b>Sex</b>	<b>Race</b>
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**Address (last updated 01-30-2018)**  
c/o Brian J Nelson, 6400 Industrial Loop, Greendale, WI 53129 US

### Attorneys

<b>Attorney name</b>	<b>Guardian ad litem</b>	<b>Entered</b>
Baumann, Jennifer Geller	No	03-20-2018
LoCoco, Lora	No	03-20-2018


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**Defendant: PROHEALTH CARE, INC.****Date of birth****Sex****Race****Address (last updated 01-30-2018)**

C T Corporation System - Registered Agent, 301 S. Bedford St. Suite 1, Madison, WI 53703 US

**Attorneys****Attorney name****Guardian ad litem****Entered**

Johnson, Terry E.

No

03-30-2018

**Future court activity**

Date	Time	Location	Description	Type	Court official
08-01-2018	11:00 am	Milwaukee County Courthouse - Room 404	Motion hearing	Court	Rothstein-25, Stephanie
09-06-2018	09:30 am	Milwaukee County Courthouse - Room 404	Motion hearing	Court	Rothstein-25, Stephanie

**Court record**

Date	Event	Court official	Court reporter	Amount
07-17-2018	Notice of hearing <b>Additional text:</b> Motion hearing on August 1, 2018 at 11:00 am.			
07-17-2018	Notes <b>Additional text:</b> Court is not in session 8-1-2018. Notice sent to reschedule. jad	Rothstein-25, Stephanie		
07-13-2018	Letters/correspondence <b>Additional text:</b> from Attorney Baumann dated 7-13-2018 filed. jad	Rothstein-25, Stephanie		
06-28-2018	Scheduling conference <b>Additional text:</b> Plaintiff in Court by Attorney Robert Welcenbach. Defendant, Ebix, in Court by Attorney Jennifer Baumann and Lora LoCoco. Defendant, Prohealth Care, in court by Attorney Kevin Fetherston for Terry Johnson. Scheduling Conference held. Action set for Motion to Change Venue on 8-1-2018 at 11:00 a.m and for Motions to Dismiss/Misjoinder/to Strike on 9-6-2018 at 9:30 a.m. in Branch 25. jad	Rothstein-25, Stephanie	Off the Record	
06-26-2018	Notice of hearing <b>Additional text:</b> Scheduling conference on June 28, 2018 at 09:30 am.			
06-20-2018	Scheduling data sheet	Rothstein-25, Stephanie		

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	Event	Court official	Court reporter	Amount
	<b>Additional text:</b> submitted by Attorney Welcenbach filed. jad			
06-18-2018	Scheduling data sheet	Rothstein-25, Stephanie		
	<b>Additional text:</b> submitted by Attorney Baumann filed. ja			
05-25-2018	Scheduling data sheet	Rothstein-25, Stephanie		
	<b>Additional text:</b> submitted by Attorney Johnson filed. jad			
05-25-2018	Brief in support of motion	Rothstein-25, Stephanie		
	<b>Additional text:</b> Filed, Defendant Prohealth Care, Inc.'s Reply Brief in Support of Its Motion to Dismiss. jad			
05-23-2018	Notice of hearing			
	<b>Additional text:</b> Scheduling conference on June 28, 2018 at 09:00 am.			
05-23-2018	Notice mailed	Rothstein-25, Stephanie		
	<b>Additional text:</b> No appearances. Action set for Scheduling Conference on 6-28-2018 at 9:30 a.m. in Branch 25. Notices sent this date. jad			
05-22-2018	Notice of hearing			
	<b>Additional text:</b> Reassignment of Judge: CASE TRANSFERRED TO JUDGE STEPHANIE ROTHSTEIN, BRANCH 25.			
05-22-2018	Judicial transfer	Rothstein-25, Stephanie		
	<b>Additional text:</b> The above-entitled case has been transferred to Judge Rothstein for disposition due to the substitution/disqualification of Judge Fiorenza. Any papers filed after the date of this Notice must be filed with the clerk of the newly assigned Judge.			
05-21-2018	Response/reply	Fiorenza-03, Clare L.		
	<b>Additional text:</b> Defendant, Ebix, Inc.'s Response to Plaintiff's Motion to Strike Affirmative Defenses, received and filed. aw			
05-17-2018	Request for substitution	Fiorenza-03, Clare L.		

	Event	Court official	Court reporter	Amount
	<b>Additional text:</b> Of Judge, received and filed. Case to be transferred to the Chief Judge's office for reassignment after review from this court. aw			
05-16-2018	Exhibit	Fiorenza-03, Clare L.		
	<b>Additional text:</b> Exhibit B, received and filed. aw			
05-16-2018	Exhibit	Fiorenza-03, Clare L.		
	<b>Additional text:</b> Exhibit A, received and filed. aw			
05-16-2018	Brief of plaintiff	Fiorenza-03, Clare L.		
	<b>Additional text:</b> In opposition to Prohealth Care INc.'s motion alleging improper joinder, received and filed. aw			
05-16-2018	Affidavit	Fiorenza-03, Clare L.		
	<b>Additional text:</b> Of Robert J. Welcenbach dated 5/16/2018, received and filed. aw			
05-16-2018	Letters/correspondence	Fiorenza-03, Clare L.		
	<b>Additional text:</b> From Attorney Welcenbach, received and filed. aw			
05-15-2018	Notice of hearing			
	<b>Additional text:</b> Reassignment of Judge: CASE TRANSFERRED TO JUDGE CLARE FIORENZA, BRANCH 3.			
05-15-2018	Judicial transfer	Fiorenza-03, Clare L.		
	<b>Additional text:</b> The above-entitled case has been transferred to Judge Fiorenza for disposition due to the substitution/disqualification of INCOMING JUDGE JEFFREY A. CONEN. Any papers filed after the date of this Notice must be filed with the clerk of the newly assigned Judge.			
05-15-2018	Notice			
	<b>Additional text:</b> Based on substitution of Judge Conen, all currently scheduled court dates vacated			
05-14-2018	Affidavit			
	<b>Additional text:</b> Affidavit of Robert Welcenbach			
05-14-2018	Objection to motion			

	Event	Court official	Court reporter	Amount
	<b>Additional text:</b> (PL) Brief Opposing Motion to Change Venue			
05-14-2018	Letters/correspondence <b>Additional text:</b> cover letter			
05-14-2018	Affidavit <b>Additional text:</b> Affidavit of Robert Welcenbach			
05-14-2018	Objection to motion <b>Additional text:</b> (PL) Brief Opposing Motion to Dismiss			
05-14-2018	Letters/correspondence <b>Additional text:</b> cover letter			
05-08-2018	Notice <b>Additional text:</b> Reassignment and Exchange for incoming Judge Jeffrey Conen, signed and forwarded for process. kmw			
05-07-2018	Request for substitution <b>Additional text:</b> filed by plaintiff			
05-07-2018	Letters/correspondence <b>Additional text:</b> cover letter			
05-02-2018	Notice of assignment of judge	Barrett, John		
05-02-2018	Notice of assignment of judge <b>Additional text:</b> Effective August 4, 2018, this case is assigned to the Honorable Judge Jeffrey A Conen, Br 30, room 402			
05-01-2018	Notes <b>Additional text:</b> Effective August 4, 2018, this case is assigned to the Honorable Judge Jeffrey A Conen, Br 30, room 402			

	Event	Court official	Court reporter	Amount
04-02-2018	Brief in support of motion <b>Additional text:</b> to Strike			
04-02-2018	Notice of motion, motion <b>Additional text:</b> (PL) Motion to Strike ***** 5/29/18, 2pm			
04-02-2018	Letters/correspondence <b>Additional text:</b> cover lettre			
03-30-2018	Letters/correspondence <b>Additional text:</b> cover letter for motions			
03-30-2018	Brief in support of motion <b>Additional text:</b> Dismiss			
03-30-2018	Notice of motion, motion <b>Additional text:</b> (DE) ProHealth Motion to Dismiss ***** 5/29/18, 2pm			
03-30-2018	Brief in support of motion <b>Additional text:</b> Improper Joinder			
03-30-2018	Notice of motion, motion <b>Additional text:</b> (DE) ProHealth Motion re Improper Joinder ***** 5/29/18, 2pm			
03-30-2018	Affidavit in support of motion <b>Additional text:</b> Change Venue			
03-30-2018	Brief in support of motion <b>Additional text:</b> Change Venue			
03-30-2018	Notice of motion, motion			

	Event	Court official	Court reporter	Amount
	<b>Additional text:</b>			
	(DE) ProHealth Motion to Change Venue ***** 5/29/18, 2pm			
03-30-2018	eFiled Document Fee Paid			\$20.00
	<b>Additional text:</b>			
	Adjustment Number: 18A 045495, Payable Number: 685583, Receipt Number: 18RM036993, Amount: \$20.00			
03-30-2018	Notice of retainer			
03-20-2018	Answer and affirmative defense			
	<b>Additional text:</b>			
	Ebix Inc			
03-20-2018	eFiled Document Fee Paid			\$20.00
	<b>Additional text:</b>			
	Adjustment Number: 18A 040655, Payable Number: 683135, Receipt Number: 18RM032335, Amount: \$20.00			
03-20-2018	Notice of retainer			
03-20-2018	Electronic Notice Update			
03-20-2018	eFiled Document Fee Paid			\$20.00
	<b>Additional text:</b>			
	Adjustment Number: 18A 040651, Payable Number: 683132, Receipt Number: 18RM032331, Amount: \$20.00			
03-20-2018	Notice of retainer			
03-07-2018	Electronic Notice Update			
03-07-2018	Notice of retainer			
03-02-2018	Electronic Notice Update			
03-02-2018	Notice of retainer			
02-20-2018	Affidavit of service			
	<b>Additional text:</b>			
	ProHealth			
02-19-2018	Order pro hac vice	Yamahiro-34, Glenn H		
	<b>Additional text:</b>			
	Attorney Scott Borison and Attorney John Craig Jones			
02-16-2018	Prop. order pro hac vice			
02-16-2018	Affidavit in support of motion			
02-16-2018	Affidavit of service			
02-16-2018	Notice of motion, motion			

	Event	Court official	Court reporter	Amount
	<b>Additional text:</b> Pro Hac Vice Attorney Borrison and Attorney Jones			
02-16-2018	Letters/correspondence <b>Additional text:</b> cover letter			
01-30-2018	Filing fee paid <b>Additional text:</b> Adjustment Number: 18A 014312, Payable Number: 670766, Receipt Number: 18RM010373, Amount: \$289.00			\$289.00
01-30-2018	Case initiated by electronic filing			
01-30-2018	Summons and complaint	Yamahiro-34, Glenn H		